



# KAPLAN KIRSCH ROCKWELL

March 23, 2009

**E-Filing**

Hon. Anne Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

Re: *Norfolk Southern Railway Company – Abandonment – In Atlanta, Fulton County, Georgia – Notice of Exemption; Docket No. AB-290 (Sub-No. 210X)*

*National Railroad Passenger Corporation – Application Under 49 U.S.C. §24311(c) to Condemn Certain Rail Carrier Property in Atlanta, Fulton County, Georgia – Norfolk Southern Railway Company; Finance Docket No. 35215*

Dear Ms. Quinlan:

I am enclosing the Status Report of the Atlanta Development Authority, Atlanta BeltLine, Inc., Norfolk Southern Railway Company, Georgia Department of Transportation and National Railroad Passenger Corporation in the above-referenced proceedings.

Thank you for your attention to this matter.

Sincerely,



Charles A. Spitalnik

Enclosure

208164

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-290 (Sub-No. 210X)  
NORFOLK SOUTHERN RAILWAY COMPANY  
- ABANDONMENT -  
IN ATLANTA, FULTON COUNTY, GEORGIA  
- NOTICE OF EXEMPTION**

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**Finance Docket No. 35215  
NATIONAL RAILROAD PASSENGER CORPORATION - -  
APPLICATION UNDER 49 U.S.C. §24311(c) TO CONDEMN  
CERTAIN RAIL CARRIER PROPERTY IN ATLANTA, FULTON COUNTY, GEORGIA - -  
NORFOLK SOUTHERN RAILWAY COMPANY**

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**STATUS REPORT OF THE ATLANTA DEVELOPMENT AUTHORITY, ATLANTA  
BELTLINE, INC., NORFOLK SOUTHERN RAILWAY COMPANY, GEORGIA DEPARTMENT  
OF TRANSPORTATION, AND NATIONAL RAILROAD PASSENGER CORPORATION**

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Communications with respect to this document should be addressed to:

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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NORFOLK SOUTHERN RAILWAY COMPANY**

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OF TRANSPORTATION, AND NATIONAL RAILROAD PASSENGER CORPORATION**

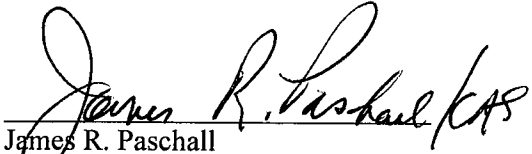
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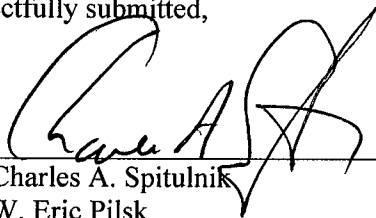
The Atlanta Development Authority ("ADA"), Atlanta BeltLine, Inc. ("ABI"), Norfolk Southern Railway Company ("NSR"), Georgia Department of Transportation ("GDOT") and National Railroad Passenger Corporation ("Amtrak") (collectively, "Movants") hereby submit this status report consistent with the Board's decision served on March 13, 2009.

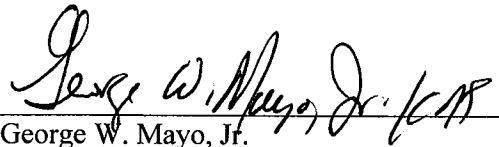
The relevant parties have now negotiated and prepared in final form a Framework Agreement among GDOT, Amtrak, City of Atlanta, Georgia, Georgia Regional Transportation Authority, Atlanta Regional Commission, Atlanta Regional Transportation Implementation Board, Metropolitan Atlanta Rapid Transit Authority and ADA (the "Framework Agreement"). The Framework Agreement is now in the process of being executed by the relevant parties. The parties hereto expect that the requisite signatures on the Framework Agreement will have been obtained in time for Amtrak and GDOT to withdraw their respective requests for a stay and Notice of Intent by no later than March 27, 2009.


WHEREFORE, ADA, ABI, NSR, GDOT and Amtrak respectfully submit this Status report in accordance with the Board's Decision in this proceeding issued on March 13, 2009.

Respectfully submitted,

  
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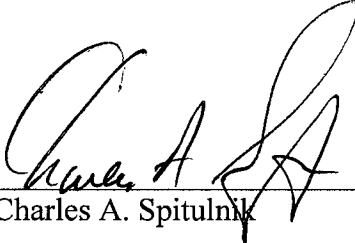
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Counsel for National Railroad Passenger  
Corporation

Dated: March 23, 2009

### Certificate of Service

I certify that I have on this 23<sup>rd</sup> day of March 2009, served a copy of the foregoing STATUS REPORT OF THE ATLANTA DEVELOPMENT AUTHORITY, ATLANTA BELTLINE, INC., NORFOLK SOUTHERN RAILWAY COMPANY, GEORGIA DEPARTMENT OF TRANSPORTATION AND NATIONAL RAILROAD PASSENGER CORPORATION on the following persons, in addition to the parties of record who are joint signatories to this Motion:

David Emory  
Atlanta Regional Commission  
40 Courtland Street, N.E.  
Atlanta, GA 30303



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Charles A. Spitulnik

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